



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

April 1, 2014

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:02 a.m. on April 1, 2014.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Thomas Cloud
Michael Corey
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
Matt Mitchell
Patrick Richard
Craig Von Deylen

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services
Mara Snyder, Director, Legal and Code Services
Cecilia Ernestes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.



An Equal Opportunity Employer

2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the March 4, 2014, meeting. Commissioner Corey moved to approve, with the second by Commissioner Goeden. It was voted upon and carried. Commissioner Brown abstained.

3. Variances

Tabled Variances

The proponent for variance 13-11-12, Hoosier House Furnishings LLC, Goshen, was unavailable for questions. Commissioner Mitchell moved to deny, with the second by Commissioner Corey. It was voted upon and carried. Melissa Tupper, RTM Consultants, spoke as proponent for variance 13-11-52, Indiana Mentor, Merrillville. Also present was Janet Mummey, the Director of the facility. In order to get the second required exit, the facility was going to lease the neighboring tenant space. This would provide the second exit, and give them a 67 foot travel distance. A monitored smoke detection system and manual fire alarm system was being installed. It was noted there was a 1:4 staff to client ratio, with an anticipated enrollment of 20 clients. Following discussion, Commissioner Brenner moved to approve with the condition that the facility not exceed twenty clients, a monitored smoke detection and manual fire alarm system was installed, and that they comply with the list of 8 conditions submitted with the plans for the April 1, 2014 meeting. Commissioner Corey made the second. It was voted upon and carried, with 2 nay votes. Variance 14-1-1, Georgetown Road Church/Everlasting Hope International Ministries, Indianapolis, was represented by Alexander Slanke, A-1 Expeditors. He reported that all of the items on the inspection had been corrected except the sprinklers. They requested that, in lieu of the sprinklers, they be allowed to install a fire separation wall between the church and the remainder of the building. Sam Bruner, Pike Township Fire Department, also addressed the Commission. He gave a brief history of the facility and their on-going failure to comply. He requested the variance be denied. Bonnie Robison, Plan Review, also noted that the work the church had already done had not been filed with the state. Following discussion, Commissioner Brown moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried. Christina Colleser, RTM Consultants, spoke as proponent for variance 14-1-32, Team Combat Live, Hobart. An analysis of the Chapter 34 had been provided, as well as new pictures of the facility. It was noted that the mezzanine was one half of the area below, and when Mr. Swets purchased the facility, it would be reconfigured to comply with mezzanine requirements and open up the center of the floor. Josh Magner, Hobart Fire Department, advised the Commission he still was not in favor of the variance, stating that the facility could move into one of several sprinklered buildings in the area. Ms. Colleser noted that this building was in a highly visible location, and location is important in building a business. The facility has three exits, with battery operated emergency lights and exit signs. There are thirty equipment vest packs for participants, thereby limiting the number of people in the combat area, with two staff members on the floor with them. Following a lengthy discussion, Commissioner Brenner moved to approve with the conditions that an additional exit be installed, all mezzanines shall fully comply, a shunt trip shall be installed on the sound system such that, upon activation of the fire

alarm system, the audio and video system is shut off, all wall coverings shall be Class A flame spread materials, a signed and sealed report on the structural stability of the facility from a design professional is submitted, that the variance applied to this owner for lazer tag only, a firewatch was still required during use of the building, and that the applicant has 90 calendar days to purchase the facility and bring it into compliance. Commissioner Richard made the second. It was voted upon and carried with 3 nay votes. The proponent for variance 14-03-1, Mt. Pleasant Christian Church, Greenwood, was not present. They had requested permission to have an IP transmission for primary communications and a cellular telephone for a secondary means. Michael Arany, White River Township Fire Department, advised the Commission that he did not oppose the variance. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Kelly Good, architect, spoke as proponent for variance 14-03-20, Carnahan Hall, Lafayette. He had provided a revised set of floor plans for the facility, per Commission request. He had met with the city and the fire department, and had arrived at a mutually acceptable approach. They were to sprinkler the main level of the building within ninety days. The basement and second floor would be sprinklered within two years. An automatic fire alarm system would be installed. The main floor occupant load was to be posted at 250, and a seating chart was to be submitted to the fire department for approval. The basement, second floor and mezzanines would not be used until the building is compliant. Following discussion, Commissioner Brenner moved to approve with those conditions. Commissioner Von Deylen made the second. It was voted upon and carried. Variance 14-03-23(a), Indy Storage Depot Storage Building #10, Indianapolis, was represented by Ed Rensink, RTM Consultants. The request had been to omit the fire hydrant within 400 feet of the proposed storage building. An amended site plan had been provided, showing the proposed location of the new fire department access road and Knox box. The owner has stated that when he puts in an additional building, he will address the hydrant issue. Ed Taylor, Indianapolis Fire Department, spoke against the variance. Following discussion of the possible use of the pond located at the rear of the property, Commissioner Brenner moved to deny, with the second by Commissioner Brown. It was voted upon and carried, with one nay vote. Dave Rector, Director, spoke as proponent for variance 14-03-27, Ford Center, Evansville. Locker Room B and C, typically used for visiting teams and stage show performers, have been fitted with a thumb twist lock. Four additional locker rooms and three dressing rooms are also available without the thumb twist lock. It was requested to allow the use of the locks. It was noted that they are an ADA compliant lock requiring only one action to open the push/pull door. The proponent also stated that signs were to be posted saying the doors must remain unlocked during any use of the locker room. Ben Miller, Evansville Building Commissioner, had no objections to the variance. Following discussion, Commissioner Brenner moved no variance was required because the thumb turn locks were the only latching devices on each door (no door handles of any kind), with the second by Commissioner Von Deylen. It was voted upon and carried. Variance 14-03-48, Zurcher Tire, Monroe, was represented by Tim Callas, J&T Consulting. The owner was to install in the sprinklered building a mechanical exhaust system, designed without draft curtains, in lieu of smoke and heat vents with curtain boards. There was to be one cfm per square foot for the existing building and addition. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried. Variance 14-03-55, Trinity Metals, Indianapolis, was presented by Tim Callas, J&T Consulting. The existing facility had two private hydrants which, due to weather conditions, froze and became non-functional. The guards had been removed to allow the hydrants to be repaired, and "junk" had been placed

around them to prevent the forklifts from hitting them. The request was to allow the owner to no longer maintain the hydrants, using, instead, the public hydrants on the main road in front of the building. The west hydrant is not accessible from the access road, and the south hydrant has several breaks in the line and hydrant itself. The fire department has stated they would not use them. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance 14-03-57, Indiana State Fairgrounds Expositions Hall, was presented by Shawn Verhoff for the two day WTHR Health and Fitness Expo. The request was to allow the use of a natural gas 5-burner cooktop on a demonstration stage, without the code-required Type 1 hood. The proponent noted they would abide by the conditions which had been put in place by a previous variance, #13-03-47, for the Flower and Patio Show at the fairgrounds. Following a lengthy discussion, Commissioner Brenner moved to approve with the conditions that a Type K fire extinguisher be provided, only an electric or induction cooktop could be used, and that they will also comply with the conditions for variance 13-03-47. Commissioner Corey made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:30 a.m. It was called back to order at 10:42 a.m.

Ed Rensink, proponent for variance 14-03-23(a), Indy Storage Depot Storage Building #10, Indianapolis, advised the members of the Commission that he and the representative of the Indianapolis Fire Department had come to an agreement concerning the fire hydrant issue. He said the IFD would agree to a fire hydrant across from Southport Road at the entrance to the new fire access entrance to the business. Commissioner Corey moved to rescind the earlier denial, with the second by Commissioner Cloud. It was voted upon and carried. Commissioner Mitchell then moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

Regular Variances

Chairman Hawkins called for any variances in the block vote to be called out or any abstentions. Variance 14-04-8, Saia Motor Freight Aboveground Fleet Fueling System, Indianapolis, variance 14-04-41, Ricker's BP 146th and River Road, Carmel, variance 14-04-45, Ricker's BP, Oaklondon, variance 14-04-46, Ricker's BP 96th and Aronson, Indianapolis, variance 14-04-53(a), Mainstreet Dyer Skilled & Assisted Living Facility, variance 14-04-56, Southport High School Athletic Storage, Indianapolis, variance 14-04-58, FedEx Ground, Zionsville, and variance 14-04-61(a), Country Corner Parochial School, Monroe, were called out. Commissioner Von Deylen noted he would abstain on 14-04-26(a)(b), Circa Apartments, Indianapolis, and 14-04-42(a)(b)(c)(d)(e)(f)(g)(h), Slate, Indianapolis. Commissioner Cloud noted he would abstain on 14-04-19(a)(b)(c)(d), 500 Wabash, Terre Haute, variance 14-04-28, Falcone Subaru Showroom Renovation and Addition, Indianapolis, and variance 14-04-31, Hinkle Fieldhouse Renovations, Indianapolis. Commissioner Brown noted he would abstain on

14-04-1, Pete Dye Golf Course Shelter House, West Baden. Commissioner Corey then made a motion to approve the remaining "A" and "B" variances. The second was made by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 14-04-1 Pete Dye Golf Course Shelter House, West Baden
- (2) 14-04-3(a)(b) Eagle Creek Go Ape Office, Indianapolis
- (3) 14-04-9 1855 S. Maxwell Street Windows, Bloomington
- (4) 14-04-12 Woodland Elementary School, Lafayette
- (5) 14-04-14 Burnett Creek Elementary School Addition & Renovation, West Lafayette
- (6) 14-04-17 GE Consumer & Industrial, Ft. Wayne
- (7) 14-04-18 Greenwood Aquatic Center Bath House Building, Greenwood
- (8) 14-04-19(c) 500 Wabash, Terre Haute
- (9) 14-04-20 Indianapolis Fire Department Station #7, Indianapolis
- (10) 14-04-23 St. Theresa School, Evansville
- (11) 14-04-24 Christ the King, Evansville
- (12) 14-04-25 St. Benedict School, Evansville
- (13) 14-04-31 Hinkle Fieldhouse Renovations, Indianapolis
- (14) 14-04-35 Linton-Stockton Middle School Bleacher Replacement, Linton
- (15) 14-04-36 Taylor Chapel UMC New Sanctuary, Ft. Wayne
- (16) 14-04-37 Mainstreet Bloomington Skilled Nursing & Asstd. Living Facility, Bloomington
- (17) 14-04-38 Solana Senior Living, Indianapolis
- (18) 14-04-39 Reagan Park Senior Living, Avon
- (19) 14-04-42(b)(c)(h) Slate, Indianapolis
- (20) 14-04-48 Fair Oaks Park Education Center, Fair Oaks
- (21) 14-04-50 Greencastle High School Cafeteria Addition & Renovation, Greencastle
- (22) 14-04-53(b) Mainstreet Dyer Skilled & Assisted Living Facility, Dyer
- (23) 04-04-55 One Thirty One Place Townhomes, Fishers
- (24) 14-04-57 GNC, Whitestown
- (25) 14-04-59 Central Catholic Athletics Complex Concession Building, Lafayette
- (26) 14-04-60 Ami Japanese Restaurant Vestibule Addition, Bloomington
- (27) 14-04-61(b)(c)(d)(e) Country Corner Parochial School, Monroe
- (28) 14-04-63(a)(b)(c) Hinkle Fieldhouse Elevators, Indianapolis
- (29) 14-04-66 Winfield Apartments Building F & G, Lafayette

The following variances were heard separately:

- (30) 14-04-2 Applied Behavior Center for Autism, Carmel

The proponent was not present for questions on the time-out room. Commissioner Corey moved to table, with the second by Commissioner Brenner. It was voted upon and carried.

(31) 14-04-4 GreenLines Transportation, Jeffersonville

Eugene Abell, Abell Petroleum Services, spoke as proponent. The request was to allow the use of a 12,000 gallon UL 142 tank in lieu of the code-permitted 10,000 gallon tank. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Mitchell noted that the 10,000 gallon size restriction was to have a change proposed in the upcoming rule hearing to allow the 12,000 gallon tank.

(32) 14-04-5 Citizens State Bank, New Castle

Mark DeBlassio, P. W. Campbell, spoke as proponent. The one hundred year old building has an elevator equipment room, located in the basement, which does not have a code-compliant ceiling height due to the existing conditions. The public is not allowed in this area, and the request was to allow the use of the basement without modification. Following discussion, Commissioner Cloud moved to approve with the condition that a sign warning of low headroom be posted. Commissioner Corey made the second. It was voted upon and carried.

(33) 14-04-7 Reid Hospital Main Entry Renovation, Richmond

The application was incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(34) 14-04-8 Saia Motor Freight Aboveground Fleet Fueling System, Indianapolis

Commissioner Mitchell had called this out in order to talk about the upcoming rule and the changes to be proposed, allowing the 12,000 gallon tanks. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(35) 14-04-10 First Industrial Properties

The variance was incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Cloud. It was voted upon and carried.

(36) 14-04-11 Hamilton Heights School Media Center Addition & Renovation, Arcadia

Ed Rensink, RTM Consultants, spoke as proponent. The variance was incomplete because there was no LBO acknowledgement, and ineligible to be heard. Commissioner

Von Deylen moved to table with the second by Commissioner Goeden. It was voted upon and carried.

(37) 14-04-13 Woodcraft Camp New Cabins, Culver

Dennis Bradshaw, FP&C Consultants, spoke as proponent. He was accompanied by the Director of Facilities, Jeff Kutch. Five cabins, primitive in nature, were to be constructed without heating or cooling, and used June through August. The 664 square foot cabins have lights, ceiling fans, two exits, and smoke detectors. The request was to omit sprinklers. A variance to omit sprinklers had been granted for previous cabins under 11-06-67. Commissioner Brenner moved to approve for these five cabins only. Commissioner Corey made the second. It was voted upon, and carried with one nay.

(38) 14-04-15 Trail Riders Unlimited, Shipshewana

Paul Kimmerle, Kimmerle Engineering, spoke as proponent. The owner of the property had built an Amish buggy garage a year ago, and had recently started selling bicycles out of it. Code does not have any provision for a Class 2 structure out building to convert to a Class 1 structure, and the request was to be allowed to use Rule 13 for the conversion. The owner will change the door swing, and install restroom facilities. The proponent had looked at the lumber ordered for the garage construction and, after calculation, feels it meets structural load requirements. Following discussion, Commissioner Richard moved to approve with the conditions that the building was to be used during the daylight hours only, that self-illuminating exit signs were used, the exit door swing was corrected, Table 29 of the IBC was followed, and that a structural evaluation was to be performed. Commissioner Von Deylen made the second. It was voted upon and carried.

(39) 14-04-16 Brookville Theatre, Brookville

Todd Thackery, architect, spoke as proponent. Also in attendance was Rick Bender, owner. An established theater, built in 1938, was being divided into two smaller screening rooms, creating half the occupancy. The existing restroom is accessible, but the planned restroom will not be accessible due to the only available location being on the sloped walkway of the larger of the two theaters being created. The restrooms are actually not required since they are reducing the occupant load, but they wish to provide additional restrooms for the public benefit. Commissioner Brenner moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(40) 14-05-19(a)(b)(d) 500 Wabash, Terre Haute

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow an area of refuge, including wheelchair space, to be provided at each upper floor stair level

of the sprinklered building, in lieu of standby power for the elevator. Following discussion, Commissioner Brenner moved to approve with the condition of the addition of a transfer switch for a portable generator. Commissioner Corey made the second. It was voted upon and carried with one nay. Variance (b) was a request to be allowed to provide a 13R system in the four upper residential floors, with an NFPA 13 system on the ground floor. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was a request to omit the height limit of 30 feet for brick veneer with a wood backing. Following discussion, the Commission expressed concern about tie spacing and requested further information on their calculations on tie spacing and wind pull-out. Commissioner Brenner moved to table, with the second by Commissioner Richard, for submission of a letter from an Indiana licensed engineer on the tie-spacing and wind pull-out. It was voted upon and carried. Commissioner Cloud abstained from voting.

(41) 14-04-21 Indiana University Franklin Hall Renovation, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The Franklin Hall project is to house the IU School of Communication, Media and Journalism. The building, built in 1908 with additions in 1925, 1955, and 1970, was to have a portion of the existing "second floor" removed to create a new Commons space. This will connect two floors of the original building with 4 floors of the 1955 addition, which had been used as a library and is referred to as the "stacks". The building will be sprinklered throughout, and the four levels of the 1955 addition which open to the Commons will have close spaced sprinklers protecting the nonrated glazed openings within the 1-hour fire barrier walls. Doors on these floors will be rated or sprinklered. Walter Knapple, IDHS, asked how they were to control the smoke since there is no smoke removal system. The proponent stated they could provide smoke curtains with sprinklers on floors three and five at the ceiling levels, and protection on floors four and six as outlined in the variance application. Following discussion, Commissioner Hoch moved to approve with the condition that smoke curtains and sprinklers were provided on floors three and five at the ceiling level. Commissioner Corey made the second. It was voted upon and carried.

(42) 14-04-22(a)(b) Hamilton Apartment Homes, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. In (a), a stainless steel, pre-manufactured gas firepit, with a timer which turns off the unit after 20 minutes of inactivity, had been installed closer to a structure than the 25 feet allowed by code. A heat sensor was to be provided under an adjacent roof overhang, connected to the clubhouse fire alarm system, and a fire extinguisher was to be mounted to the wall. The pit is located on hardscape, and gas will automatically shut off when the clubhouse is closed for the evening. Following a discussion as to whether or not the firepit was a decorative element, Commissioner Brenner moved to approve (a) with the timer as a

condition. Commissioner Corey made the second. It was voted upon and carried. Variance (b) was to allow the use of a gas grill installed 7 feet from the roof overhang, closer than the 10 feet allowed by code. Following discussion, Commissioner Brenner moved to deny, with the second by Commissioner Corey. It was voted upon and carried.

(43) 14-04-26(a)(b) Circa Apartments, Indianapolis

Ed Rensink, RMT Consultants, spoke as proponent. Variance (a) was to allow the use of areas of refuge in stairway landings in lieu of emergency power backup for the elevator. The building will be sprinklered, and battery backup power will be provided to lower the elevator at loss of power. Commissioner Brenner moved to approve with the condition that a transfer switch for a portable generator be provided. Commissioner Corey made the second. It was voted upon and carried with one nay. Variance (b) was to allow the area exterior openings on portions of the exterior walls to exceed the amount allowed by code. A quick response sprinkler will be located at ceiling level within 12 inches of each opening. Following discussion, Commissioner Brenner moved to approve with the condition that openings have quick response sprinklers. The second was made by Commissioner Corey. It was voted upon and carried. Commissioner Von Deylen abstained from voting on both variances.

(44) 14-04-27 Peerless Pump Grundfos Office Addition, Indianapolis

Ed Rensink, RTM Consultants, appeared as proponent. The south exit discharge for the addition crosses the back of the truck loading dock area, and this has been interpreted as an obstruction of access to the public way. The area will be marked with removable bollards to keep trucks from parking in the discharge path, since this is not an elevated dock. The addition is sprinklered throughout, as is the existing building. Commissioner Cloud moved to approve with the conditions stated in the application. Commissioner Von Deylen made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 12:02 p.m. It was called back to order at 1:06 p.m.

(45) 14-03-57 Indiana State Fairgrounds

The proponent, Shawn Verhoff, returned with additional information on previous variances. Following discussion of the variance requirements for previous events, it was determined that either the Fairgrounds needed to get a blanket variance for these items or

each event would need to come for their first variance. Commissioner Corey moved to approve with the condition that electric or induction cooking only are used and items 1-5 of the guidelines for variance 13-11-27 are followed. Commissioner Von Deylen made the second. It was voted upon and carried.

(46) 14-04-7 Reid Hospital Main Entry Renovation, Richmond

Robert Harmeyer, architect, spoke as proponent for the application which was now complete. Commissioner Corey moved to rescind the table, with the second by Commissioner Cloud. It was voted upon and carried. The proponent then explained the request to remove the revolving door for the outpatient care center, and use two side entrances, with expanded vestibules, instead. It was impossible for them to pass the Energy Code envelope requirements for the renovation with the revolving door and vestibules as they exist. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(47) 14-04-28 Falcone Subaru Showroom Renovation and Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. She noted that the VB construction type listed on the application was incorrect. It was IIIB construction. A service bay addition and canopy over a walkway will, technically, create a single, overarea building when the canopy overlaps the existing showroom building. The buildings and canopy are of noncombustible construction. The request was to omit the independent 2-hour fire wall requirement created by the overlap. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Commissioner Cloud abstained.

(48) 14-04-29 Crestwood Village South Building 7, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The independent living apartments are being converted to assisted living facilities, and all the bathrooms are being renovated with 10 percent of the units being fully accessible instead of the required 4 percent. The showers for Type B units will be 30" x 57" roll-in units instead of the 36" x 36" transfer showers as required. The proponent stated it was felt that the roll-in units would provide a more useable shower for the residents than the transfer showers. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(49) 14-04-30 South Putnam Central Elementary School Restroom Addition, Greencastle

Ed Rensink, RTM Consultants, spoke as proponent. Code requires that the restrooms be separated from the corridor with 1-hour fire partitions and 20-minute doors. The request

was to allow the new restrooms to be open to the corridor for security and supervision purposes. Smoke detectors would be added to the restrooms. Following discussion, Commissioner Brenner moved to approve with the condition that smoke detectors be installed in the restrooms. Commissioner Corey made the second. It was voted upon and carried.

(50) 14-04-32 Oakbrook Valley, Russiaville

No proponent was available for questions. Commissioner Corey moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(51) 14-04-33(a)(b) Gannett, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The former Nordstrom Department Store space is being altered for use as offices by Gannett. The request in (a) was to allow the tenant spaces to be evaluated under Sec. 3410, and not the entire building. The proponent noted that many areas of the space were not a change of use. For example, the first floor of Nordstrom's was a restaurant, and Gannett will be using the floor for a cafeteria. Offices designed from mercantile spaces are not a change of use per code. Following a lengthy discussion of if there was actually a change of use at all, Commissioner Brenner moved that no variances were required for both variances, with the second by Commissioner Cloud. It was voted upon and carried.

(52) 14-04-34 The Winery Warehouse, Greenfield

Scott Hamilton, owner's representative, spoke as proponent. The request was to allow use of the unsprinklered building while the permanent facility was completed. The steel, pre-engineered building is surrounded by a parking surface, allowing exiting directly to the exterior. Additional restrooms would be provided by using a restroom trailer. A firewatch will be provided during events in the facility, and construction completion is scheduled for January 2015. Following discussion, Commissioner Cloud moved to approve with the condition that the variance was valid until January 1, 2015. Commissioner Corey made the second. It was voted upon and carried.

(53) 14-04-40 Harbour Ground Water Treatment Facility, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit sprinklers in the chemical storage rooms of the new facility. Code requires sprinklers because the rooms are considered an H-4 due to the amount of corrosive and toxic chemicals within

the rooms. These noncombustible chemicals are stored within tanks, and the storage areas are separated by a 2-hour separation wall. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Hoch. It was voted upon and carried with one nay vote. Commissioner Mitchell abstained.

- (54) 14-04-41 Ricker's BP 146th and River Road, Carmel
14-04-45 Ricker's BP Oaklandon, Indianapolis
14-04-46 Ricker's BP 96th and Aronson, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variances had been called out by Commissioner Brenner, questioning the drinking fountains' compliance with ADA reach height requirements. With assurances that they complied, Commissioner Brenner moved to approve with the condition that the drinking fountains comply with ADA reach height requirements. Commissioner Von Deylen made the second. It was voted upon and carried.

- (55) 14-04-42(a)(d)(e)(f)(g) SLATE, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to use a vertically continuous, 2-hour fire barrier in lieu of a fire wall to separate the building into two separate buildings for allowable area compliance. The existing floor plate would not allow a structurally independent fire wall to be constructed in the sprinklered buildings. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (d) was a request to provide an NEPA 13R sprinkler system in the four residential stories of the five story building. Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (e) was a request to allow the use of the at-grade space above the basement level of the podium structure in the frontage increase for the allowable area calculations. It was felt that it would qualify as a yard since it is unobstructed from the ground to the sky. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (f) was a request to omit standby power for the elevator. Commissioner Cloud moved to approve with the condition that a transfer switch to a portable generator be provided. Commissioner Hoch made the second. It was voted upon and carried with one nay. Variance (g) was a request to allow all the units to be Type B. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Von Deylen abstained from voting on these variances.

- (56) 14-04-43 Ivy Tech College and Conference Center Floors 5 & 12 Buildout, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Existing ceiling heights in portions of the corridors and other egress paths will be less than that allowed by code in order to

accommodate sprinkler piping and other utility elements. Due to existing conditions, locating the piping elsewhere is not practical. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(57) 14-04-44(a)(b) Victory View Flats, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) was to be allowed to omit the two required Type A units, and make all units Type B. With the elevator and Type B units, the building would comply with the federal Fair Housing Act. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow a calculated occupant load of 20 for the north exit. The design will comply with the proposed 2014 Building Code. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(58) 14-04-47(a)(b) 201 North Delaware Street 2nd & 3rd Floor Renovations, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. HVAC supply and return ducts connecting three floors had been built within a nonrated chase by a previous owner when new rooftop units had been installed. To correct this condition with rated shafts or fire dampers at the floor level would not be possible. The request in (a) was to allow an automatic sprinkler within the duct chase on the 2nd and 3rd floors, and the annular space around the duct openings through the floors to be filled with a noncombustible material. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was to allow the stair between the first and second floor to be less than 44" wide. The second and third floors have access to an exterior exit stair in addition to the new interior stair. The stairs are protected by sprinklers. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(59) 14-04-49 Riley School Conversion Riley Center, Muncie

The variance request was incomplete and ineligible to be heard. Commissioner Corey moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

(60) 14-04-51 Evansville Christian School - First Southern Baptist Campus, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The private school had done a Chapter 34 review as part of a change of occupancy to allow them to occupy the building while their school was being constructed. The request was to allow them to occupy the

second floor, the gymnasium, and a cafeteria of the facility without fully complying with Chapter 34. There will be a maximum of 250 occupants, and 24 feet of extra exit width provided on the main floor. There are 3 enclosed exit stairs from the second floor, and 4 exits from the first floor. There will be a 130 foot travel distance. An NFPA 72 fire alarm and smoke detection with voice notification will be installed. Following discussion, Commissioner Von Deylen moved to approve with the condition that the variance was valid until June, 2016. The second was made by Commissioner Cloud. It was voted upon and carried.

(61) 14-04-52 Grace Fellowship Church Entry and Canopy Addition, Demotte

Ed Rensink, RTM Consultants, spoke as proponent. A new entrance expansion and canopy would put the facility over allowable area. The enclosed entrance expansion was to be 505 square feet, putting the facility 3% over area. The canopy would be of noncombustible concrete and steel construction, and would be open air. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(62) 14-04-53(a)(c) Mainstreet Dyer Skilled & Assisted Living Facility, Dyer

Melissa Tupper, RTM Consultants, spoke as proponent. The request in variance (a) was to be allowed to use sliding glass doors on patient bathrooms to maximize use of space. The code requires side-hinged, swinging doors. The facility is fully sprinklered. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was a request to allow the use of non-rated windows in the nursing area to provide privacy for patients, yet allowing visibility of the corridor. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(63) 14-04-11 Hamilton Heights School Media Center Addition & Renovation, Arcadia

Ed Rensink, RTM Consultants, spoke as proponent. The variance had been tabled due to the notice response coming from someone other than the building official. The official has no office, and all mail is handled by the clerk/treasurer for him. Commissioner Corey moved to rescind the table, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Von Deylen then moved to approve the variance which had been a "B", and would have otherwise been eligible for the block vote. Commissioner Corey made the second. It was voted upon and carried.

- (64) 14-04-54(a)(b) Indiana State University Normal Hall, Terre Haute

Melissa Tupper, RTM Consultants, spoke as proponent. The building, built in 1907 and listed on the National Register of Historic Places, is being renovated for use as classrooms, offices, conference rooms and a banquet area. The request in variance (a) was to omit sprinklers in the stained glass cupola. The sidewall sprinklers provided at the ceiling level of the second floor will extend coverage to protect the cupola. Following discussion, Commissioner Brown moved to approve, with the second made by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow an office on the first floor of the historic building to use sidewall sprinklers in lieu of compliant sprinklers. The decorative moldings will not work with surface mounted sprinkler piping. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (65) 14-04-56 Southport High School Athletic Storage, Indianapolis

Chairman Hawkins noted that the building meets the four conditions listed by the Commission for exemption from Table 29 requirements, and therefore did not need a variance. Commissioner Corey moved no variance required, with the second by Commissioner Von Deylen. It was voted upon and carried.

-
- (66) 14-04-58 FedEx Ground, Zionsville

Tim Callas, J&T Consultants, spoke as proponent. Recessed hand dryers had been installed and were called out as encroaching on water closet clear floor space. These appliances are not specifically listed as accepted fixtures which can overlap. Following discussion, Commissioner Cloud moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

- (67) 14-04-61(a) Country Corner Parochial School, Monroe

The request was to omit the drinking fountain called for in Table 29 and provide bottled water for the occupants instead. Following a brief discussion, Commissioner Brenner moved no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

- (68) 14-04-62 The Mezz – 3rd Ave. SW, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. An incorrect address had been used when the project had been filed. This was a variance to variance 13-11-26, correcting the address and requesting permission to use a 13R system in lieu of the NFPA 13 system as approved in the original variance. A 3-hour rated floor separation will be

provided between the first story and the upper four floors. The first floor will have an NFPA 13 system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

(69) 14-04-69(a)(b) The Mezz – Center Green, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The address of this application had also been corrected. Variance (a) was to omit the five story structurally independent fire wall separating the open parking garage from the apartment building. The sprinklered building will have a fire barrier in lieu of the fire wall. Variance (b) was to allow 100% horizontal exiting into the open parking garage for two levels. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay. Proof of notification of the local building official was to be submitted by April 7, 2014.

(70) 14-04-65 Dunham's Athlesisure Distribution Facility, Marion

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to exceed the allowable travel distance to a restroom in the facility. The employees work area will be in selected areas, and they will be familiar with restroom locations. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay.

(71) 14-04-67(a)(b)(c) Lids Corporate Headquarters, Zionsville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to omit the voice notification from the first floor assembly area. The building will be sprinklered per NFPA 13, and has direct exits to the exterior. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (b) was a request to have an open communicating stair between the first floor assembly area and the second level offices. Code requires complete separation. The building is to be sprinklered, and the opening will be protected with draft curtains and close spaced sprinklers. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Variance (c) was a request to allow a 1-hour floor separation between the first and second floors in lieu of the required 2-hour separation. The building will be sprinklered, and the stair opening protected by draft curtains and close spaced sprinklers. Horns and strobes will be activated by the sprinklers. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(72) 14-04-68 905 N. Capitol Remodel, Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. An existing building had renovation work done in which the tenant space kitchenette did not comply with accessibility requirements in ANSI A117.1. The kitchen sink and appliances were installed in standard 36" countertops, with a 34" work counter to be provided. The dishwasher door opens down into clear space and the refrigerator opens into the approach of the dishwasher. Following discussion, Commissioner Corey moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:50 p.m. It was called back to order at 3:00 p.m.

4. Reconsideration of Variance 13-11-11, In His Image Church, Kokomo

Doug Trent, RTM Consultants, explained that when he had resubmitted the application, he had been told that nothing in the application had changed, and the construction was listed as Type IIB. Construction type was actually Type VA, so the issue was being brought to the Commission for reconsideration. Following discussion of the allowable area involved, the members of the Commission had no objections to the construction type change.

5. Reconsideration of Variance 13-11-52 – Indiana Mentor – continued
-revised drawings

This item had been addressed earlier in the meeting.

6. Discussion and possible Commission approval of draft 2014 Building, Fire, Mechanical, and Fuel Gas codes for publication

It was noted by Mara Snyder, Director, Legal and Code Services, that the Commission can ask for changes which do not have a fiscal impact before the codes are sent for publication, and changes submitted at the public hearing which decrease fiscal impact do not have to be returned to Budget for approval. Commissioner Mitchell led a discussion on the change to the maximum size of above-ground fuel tanks from 10,000 gallons to 12,000 gallons in the table in 2306. Commissioner Mitchell moved to change 10,000 gallons to 12,000 gallons in table 2306.2.3, second column, on page 13 of LSA Doc. #13-341. Commissioner Von Deylen made the second. It was voted upon and carried. Following an explanation of the anticipated timeline for adoption

of the rules, Commissioner Hoch made a motion to publish the proposed 2014 Building, Fire, Mechanical and Fuel Gas codes. Commissioner Von Deylen made the second. It was voted upon and carried.

7. Discussion and possible Commission action

Technology Center Associates, LP
Cause No. 13-14
Briefs submitted

Copies of the submitted briefs and the code concerning alterations requirements had been provided to Commission members. Following discussion of the alteration and if they felt it should have required a permit, Commissioner Brenner moved to set aside the Administrative Law Judge final order and hold that the work used the same components, made only architectural changes, and did not require an alteration permit. Commissioner Von Deylen made the second. It was voted upon and carried. Commissioner Corey abstained from discussion and vote on the action.

8. Discussion and possible Commission action on Nonrule Policy Document Interpretation on the application of Table 29 to S occupancies

It was decided that the interpretation as provided to the Commission members in the mailing packets for the April meeting should be published. Commissioner Corey moved to publish, with the second by Commissioner Von Deylen. It was voted upon and carried.

9. Discussion and Commission Actions

Catered Living
Administrative Cause No. 14-02
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Order of the Administrative Law Judge. Commissioner Mitchell made the second. It was voted upon and carried.

10. Discussion and Commission action on Petitions for Review (Timely filed unless otherwise noted.)

Vanderburgh County Jail
Order – Fire and Building Code Enforcement

AccessAbilities, Inc.
Order – Merrillville Fire Department (Petition for review and Stay of Enforcement)

Variance 14-03-23(b), Indy Storage Depot Bldg #10, Indianapolis
Commission Action of March 4, 2014

Commissioner Corey moved to grant the petitions for review, with the second by Commissioner Mitchell. It was voted upon and carried.

11. Comments – Chairman Hawkins

Chairman Hawkins noted that House Bill 1301 mandated that the Commission would adopt objective criteria for local plan review. He stated he had a meeting with Director Hill on April 21, 2014, and he would report at the May meeting. He also announced that the variance application process would be going electronic soon. He then gave a brief outline of the process, and took questions from those interested parties in the audience. Commissioner Von Deylen noted that we need better wireless service in the meeting room, and it was suggested a screen be set up for viewing as a group for a few meetings. Electronic signatures were also discussed. It was also noted that electronic filing would not be mandatory for a year since it would have to go through the rule-making process. Paper filings would still be accepted until that time.

12. Comments – Mara Snyder

Mara Snyder, Director, Legal and Code Services, stated she had filed the Administrative Rules Oversight Committee notices for the proposed four new codes, in case of delays in making the deadlines, the rules would not have to be begun again from scratch. The AROC notices had been published in the Register. She also noted that she will be drafting a permanent rule for outdoor event equipment, and, hopefully, the rule changing the variance application process.

13. Chairman Hawkins then adjourned the meeting at 4:00 p.m.

APPROVED

John Hawkins, Chairman

DRAFT